

MEETINGS TO DATE 29
NO. OF REGULARS 19
NO. OF SPECIALS 10

LANCASTER, NEW YORK
OCTOBER 2, 1989

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 2nd day of October 1989 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
BRUCE SHEARER, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE

BID OPENING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster Highway Department one (1) used 1969 Auto Car with 40 Ton Low Boy Trailer or Equal.

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:10 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

A proposal was received from the following bidder:

BIDDER

Northeast Paving Company
77 West Drullard Avenue
Lancaster, New York 14086

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Highway Superintendent for examination, tabulation and recommendation.

32X1

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed repeal of Section 30-17 of the Permit and Application Fees Ordinance of the Town of Lancaster, designated as Chapter 30 of the Code of the Town of Lancaster, and enactment of a new Section 30-17 in place thereof "Application for Approval of Subdivision".

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

COMMENTS

None

QUESTIONS

None

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:20 P.M.

The Town Board later in the meeting adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

REPORTS AND DIRECTIVES:

The Town Clerk, pursuant to Section 106(3) of the Town Law of the State of New York, reported that the Supervisor has filed in his office the 1990 Tentative Budget of the Town of Lancaster and that copies thereof have been provided to all Town Board members.

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on September 18, 1989, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.MIN (P1)

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the term of office of THEODORE C. BRUNEA, a member of the
Assessment Review Board of the Town of Lancaster, expired September 30, 1989,
and

WHEREAS, the Town Board is desirous of reappointing THEODORE C.
BRUNEA to a renewal term on this Board,

NOW, THEREFORE, BE IT

RESOLVED, that THEODORE C. BRUNEA, 599 Harris Hill Road, Lancaster,
New York, be and hereby is appointed a member of the Town of Lancaster
Assessment Review Board for the term October 1, 1989 to September 30, 1993.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, a Public Hearing was held on the 2nd day of October, 1989
for the purpose of amending Chapter 30 of the Code of the Town of Lancaster,
entitled: "Permit and Application Fees Ordinance", and persons for and against
such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted,

NOW, THEREFORE, BE IT

RESOLVED, that Chapter 30, Permit and Application Fees Ordinance of
the Code of the Town of Lancaster be amended by the repeal of §30-17 and the
enactment of a new §30-17 in place thereof, which reads as follows:

"§30-17. Application for Approval of Subdivision

An application for submittal of a subdivision
plan to the Town Board must be accompanied by
an application fee in the following amount:

- A. Subdivision with up to ten (10) lots or
units - \$400.00.
- B. Subdivision with more than ten (10) lots
\$400.00 plus an additional \$15.00 for each
lot or unit over ten (10) lots or units."

and

BE IT FURTHER

RESOLVED, as follows:

- 1. That said Amendment be added in the minutes of the meeting of
the Town Board of the Town of Lancaster, held on the 2nd day of October, 1989,
- 2. That a certified copy thereof be published in the Lancaster Bee
on October 5, 1989;
- 3. That a certified copy of this Amendment be posted on the Town
Bulletin Board, and
- 4. That Affidavits of Publication and Posting be filed with the
Town Clerk.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES	COUNCILMAN KWAK	VOTED YES	
COUNCILMAN GIZA	VOTED YES	COUNCILMAN MILLER	VOTED YES
SUPERVISOR KEYSA VOTED YES			

The resolution was thereupon unanimously adopted.

October 2, 1989

32x1

LEGAL NOTICE
NOTICE OF AMENDMENT TO
PERMIT AND APPLICATION FEES ORDINANCE
TOWN OF LANCASTER

Chapter 30, Permit and Application Fees Ordinance of the Code of the Town of Lancaster, County of Erie, State of New York, is hereby amended by the repeal of §30-17 and the enactment of a new §30-17 in place thereof, which reads as follows:

"§30-17. Application for Approval of Subdivision

An application for submittal of a subdivision plan to the Town Board must be accompanied by an application fee in the following amount:

- A. Subdivision with up to ten (10) lots or units - \$400.00.
- B. Subdivision with more than ten (10) lots \$400.00 plus an additional \$15.00 for each lot or unit over ten (10) lots or units."

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of ORDINANCE AMENDMENT with the original thereof filed in my office at Lancaster, New York, on the 2nd day of October, 1989, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 2nd day of October, 1989.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated September 14, 1989, has recommended that Joseph Juszcak and John Arcese be upgraded from the position of Laborers Grade One, at the present rate of \$11.01 per hour, to Light Equipment Operators at the present rate of \$11.44 per hour,

NOW, THEREFORE, BE IT

RESOLVED, that JOSEPH JUSZCZAK and JOHN ARCESE be and are hereby appointed to the positions of Light Equipment Operators in the Highway Department of the Town of Lancaster, effective October 2, 1989, contingent upon certification by the Supervisor of the Town of Lancaster that these positions are open and budgeted.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.PERS.UPGR

F 1

15 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated September 18, 1989, has requested the confirmation of one new member duly elected to the membership of the Town Line Volunteer Fire Department, Inc. and the deletion of one member from the membership of the Town Line Volunteer Fire Department, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to, and the deletion from, the membership of the Town Line Volunteer Fire Department, Inc. of the following individuals:

ADDITION

David J. Charvat
862 Town Line Road
Alden, New York 14004

DELETION

Michael E. Pucci

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R-FIRE (P4)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, CHARTER MOTOR INN OF BUFFALO, INC., and MICROTEL FRANCHISE
AND DEVELOPMENT CORP. have submitted a site plan for the development of a
Microtel Hotel on the north side of Freeman Road between Transit Road and North
Maple Drive, as prepared by Blissell, Stone Associates, and dated September 14,
1989, and

WHEREAS, the Town Board has caused a review of the aforementioned
site plan, and

WHEREAS, the Planning Board of the Town of Lancaster has approved the
site plan September 6, 1989, with an exception to the sign, which will need a
variance as proposed,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
approves the site plan dated September 14, 1989, as prepared by Blissell, Stone
Associates for the development of a Microtel Hotel on the north side of Freeman
Road between Transit Road and North Maple Drive in the Town of Lancaster,
subject to the following conditions:

- (1) Landscaping to include evergreens and trees on the
green area at the entrance and in the green area on
periphery of the premises both side and rear;
- (2) Owner and management or its successor in interest to
prohibit trucks exceeding G.V.W., as per Town Vehicle
and Traffic Ordinance, operated by guests, from the
premises.
- (3) No siting of bar or restaurant in the premises;
- (4) Charter Motor Inn of Buffalo, Inc., by James Consentino,
President, as a subsidiary of Dynamic Enterprises, Inc.
and/or its assignees, will cause the construction at its
cost to town road specifications of a "RIGHT TURN ONLY"
lane on Freeman Road at the intersection of Transit Road
simultaneously with the development of the Microtel Hotel
and will convey and dedicate to the Town of Lancaster the
appropriate road right of way as is deemed necessary by the
Town of Lancaster for this "RIGHT TURN ONLY" lane, and

72X

- (5) If within one (1) year of opening MICROTEL HOTEL there are five (5) serious accidents meeting the criteria used by the New York State Department of Transportation in determining whether a signal should exist at intersection of Freeman Road and Transit Road, then Charter Motor Inn of Buffalo, Inc., by James Cosentino, President, as a subsidiary of Dynamic Enterprises, Inc. and/or its assignees, will (a) join in a request to N.Y.S. Department of Transportation for signalization of the intersection and will (b) guarantee all costs associated with installation of the signal and Charter Motor Inn of Buffalo, Inc., by James Cosentino, President, as a subsidiary of Dynamic Enterprises, Inc. and or its assignees will defer to the judgment of the Town of Lancaster Police Department with respect to what significant accident history will precipitate the Town of Lancaster request for a signal.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

12X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
GIZA , TO WIT:

WHEREAS, the Chiefs of Police of the Town of Lancaster, Village of Lancaster, and Village of Depew have jointly recommended to their various municipal boards that a set date and time be set aside for the observance of Halloween within the Town of Lancaster, including the Villages therein,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, hereby declares Tuesday, October 31, 1989, between the hours of 6:00 P.M. and 8:30 P.M., as the official period during which Halloween trick or treat activities may be observed within the Town of Lancaster, outside the Villages.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.P.R. (P1)

32X1

PREFILED RESOLUTION NO. 8

Kwak/_____ Approve Southpoint Subdivision

Councilman Kwak withdrew this resolution for further study.

October 2, 1989

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Initiative-Social Work Counselor Program within the geographic area of the Town of Lancaster for the period of January 1, 1990 through December 31, 1990, and

WHEREAS, the Town Board, by resolution dated May 18, 1988, has heretofore authorized such joint program for the period commencing July 1, 1988 and ending June 30, 1990, with the Lancaster Central School District, and

WHEREAS, it is in the public interest that the Town of Lancaster see to the continuation of this worthwhile program inasmuch as the other participant in the program, the Lancaster Central School District, has so indicated its intention to continue the program beyond the current fiscal year, and

WHEREAS, a proposed budget for the Youth Initiative-Social Work Counselor Program has been submitted for the period January 1, 1990 through December 31, 1990, in the sum of \$21,650.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.STATE.YTH (P2)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Recreation Program within the geographic area of the Town of Lancaster for the period of January 1, 1990 through December 31, 1990, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Recreation Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Recreation Program has been submitted for the period January 1, 1990 through December 31, 1990, in the sum of \$305,685.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.STATE.YTH (P1)

12X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Bureau Program within the geographic area of the Town of Lancaster for the period of January 1, 1990 through December 31, 1990, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Bureau Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Bureau Program has been submitted for the period January 1, 1990 through December 31, 1990, in the sum of \$77,598.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.STATE.YTH (P3)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, George Stephens, 130 Maple Drive, Bowmansville, New York
14026, has heretofore applied for approval of Pleasantview Subdivision, and

WHEREAS, the Planning Board and Town Engineers have given their
approval to the filing of this subdivision,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby approves the
subdivision known as Pleasantview as filed by George Stephens.
2. That the Town Clerk of the Town of Lancaster be and is hereby
directed to properly endorse the approval of the Town Board of the Town of
Lancaster on the linen copy thereof, and
3. That the Town Attorney be and is hereby directed to attend to
the filing of said subdivision map in the Erie County Clerk's Office.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.SUB.DEVEL (P2)

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, the Executive Director of the Town of Lancaster, by letter dated September 29, 1989, has requested permission to have members of the Youth Bureau Staff and Youth Board attend certain programs of the Association of New York State Youth Bureaus 19th Annual Conference at the Buffalo Sheraton Airport which conference will be held October 22nd through October 25th, 1989,

NOW, THEREFORE, BE IT

RESOLVED, that the following members of the Youth Bureau Staff and Youth Board of the Town of Lancaster, be and hereby are authorized to attend various functions of the Association of New York State Youth Bureaus 19th Annual Conference at the Buffalo Sheraton Airport from October 22nd through October 25th, 1989, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be authorized as follows:

1. John Trojanowsky, for attendance at entire conference - \$135.00.
2. Karen Schanne, Bob Smith and Joe Maciejewski, for attendance at Tuesday's session to held October 24, 1989, at a cost of \$40.00 each.
3. Karen Schanne, Marion Strickland, Patricia Blackett, Joe Maciejewski, Mary Alice Crinzi, Carol Faulhaber, Claire Schlum, Connie Bosse and Beverly Valutis, for attendance at an evening reception and dinner on Monday, October 24, 1989, at a cost of \$25.00 each, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.SEM.MTGS

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Service Program within the geographic area of the Town of Lancaster for the period of January 1, 1990 through December 31, 1990, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Service Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Service Program has been submitted for the period January 1, 1990 through December 31, 1990, in the sum of \$58,024.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R-STATE-YTH (P4)

12X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 9524 to Claim No. 9687 Inclusive.

Total amount hereby authorized to be paid:

\$372,099.04

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.CLAIMS

32X

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN KWAK, WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 CZAPLA, TO WIT:

RESOLVED, that the following Building Permit Applications be and
 are hereby approved and the issuance of these Building Permits be and are
 hereby authorized:

CODES:

(T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to
 the provisions of Chapter 30-26 of the Code of the Town of Lancaster.

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town
 Lancaster.

NO.	CODE	NAME	ADDRESS	STRUCTURE
536		Apple Rubber Products	12 Enterprise Dr	REMOVE EXISTING TANKS
537	(T)	Stratford Homes, Inc.	18 Sugarbush La	ER. SIN. DWLG
538		William Mucyn	35 Fieldstone La	ER. SHED
539	(T)(SW)	Best Built Homes	220 Peppermint Rd	ER. SIN. DWLG
540		M/M Ronald Surowick	107 Stutzman Rd	ER. GARAGE
541	(T)	Stephens Const. Inc.	521 Pleasant View Dr	ER. SIN. DWLG
542	(T)	NDC Homes, Inc.	25 Sugarbush La	ER. SIN. DWLG
543	(T)	DiCom	9, 11, 15 Hawthorne Tr	ER. TOWNHOUSES
544	(T)	Iona Builders	14 Gale Dr	ER. SIN. DWLG
545	(T)	DiCom	4703 Transit Rd	ER. STORE
546		William Niefer	16 Partridge Wk	ER. SHED
547	(T)	Centennial Homes	23 Fieldstone La	ER. SIN. DWLG
548		Don Rutkowski	1715 Como Park Blvd	ER. FENCE
549		Sandra Lazarus	5555 Genesee St	ER. SIGN
550		Meadowood Partners	4845 Transit Rd	ER. 12 BAY GARAGE
551		Miriam Jones	10 Main St	ER. GARAGE
552		Bob Sugg	5266 William St	ER. GARAGE
553		Dave Wright	262 Ransom Rd	ER. GARAGE
554	(T)	Joe Basile	5 Forestream Dr	ER. SIN. DWLG
555		Paul Pautler	6370 Broadway	REPLACE EXISTING TANKS
556		Patricia O'Hara	118 Pheasant Run	ER. FENCE
557		Martin Szymanski	32 Country Pl	ER. SHED

15 X

32 X

558 Donald Puccio 5 Lucia Ct ER. SHED

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

File: R.BLDG (P1&2)

32X1

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the State of New York Department of Transportation has notified the Town of Lancaster that the bridge on Ransom Road between Walden Avenue and NY 33, identified as CR155 and further as Capital Project Identification No. 5752.32, will be let for public bid on or about November, 1989, and

WHEREAS, as part of this project the Town must identify town owned facilities which may be affected by the reconstruction, and

WHEREAS, work being done under Contract Items requires a resolution and certification by the Town Board pursuant to the terms of the Utility Work Agreement for adjustments to town owned facilities,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby grants the State of New York authority to perform the adjustment for the Town of Lancaster and further that the Town of Lancaster agrees to maintain the facilities adjusted via State-let contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.
October 2, 1989

32x1

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled: "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE AND STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of October, 1989, at 8:10 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before the 5th day of October, 1989, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1989

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LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 2nd day of October, 1989, the said Town Board will hold a Public Hearing on the 16th day of October, 1989, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town:

ARTICLE IX - Speed Regulations.

§46-9, Maximum Speed Limits, is hereby amended as follows:

"46-9, Maximum Speed Limits.

.
C.

- (9) Simme Road, for eastbound and westbound traffic from Ransom Road easterly to Town Line Road.
Road.
- (10) William-Kidder Road, for eastbound and westbound traffic from Ransom Road easterly to Town Line Road."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

October 2, 1989

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STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - Milton Drive
On June 6, 1988, The Town Engineer was directed to expedite this project.
2. Dumping Permit - New Creation Fellowship
On July 12, 1989, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
3. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase I (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Curbs	Yes	Yes	Yes
Floodway	Yes	No	No

4. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase II (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Curbs	No	No	No
Floodway	Yes	No	No
East Culvert	Yes	No	No

5. Public Improvement Permit Authorization - Indian Pine Village Subdivision (Fischione Const., Inc.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No
Floodway	Yes	No	No

6. Public Improvement Permit Authorization - Lake Forest Subdivision (Dana Warman)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	Yes	No	No

7. Public Improvement Permit Authorization - The Meadows Subdivision (Giallanza)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)8. Public Improvement Permit Authorization - Pine Tree Farm, Phase I
(Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline (Transmission)	Yes	Yes	Yes
Waterline (Hydrants)	Yes	Yes	No
Pavement and Curbs	Yes	Yes	No
Storm Sewers	Yes	Yes	No
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

9. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	n/a	n/a

10. Public Improvement Permit Authorization - Plumb Estates (Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

11. Public Improvement Permit Authorization - Plumb Estates South, Phase I
(Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

12. Public Improvement Permit Authorization - Plumb Estates South, Phase II
(Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

13. Public Improvement Permit Authorization - Warnerview Estates, Phase I
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

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STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:14. Public Improvement Permit Authorization - Warnerview Estates, Phase II
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

15. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.16. Subdivision Approval - The Crossings (Off Erie St.)
Review of this subdivision is on hold pending determination of a conceptual north/south beltway right-of-way from Broadway to the New York State Thruway.17. Subdivision Approval - Deer Cross (off William St.)
On June 21, 1989, the Planning Board approved this subdivision subject to approval of the Town Engineer and Police Chief. On August 7, 1989, the Town Board adopted a negative SEQOR Determination on this matter.18. Subdivision Approval - Meadowland Subdivision (Bosse - Off Redlein Dr.)
Review of this subdivision is on hold until surface water drainage problems are resolved by the developer.19. Subdivision Approval - Southpoint Subdivision (Josela - Off Aurora St.)
On May 5, 1989, the Chief of Police approved this site plan. On June 19, 1989, the Town Board and the Planning Board in joint session, adopted a negative determination on this project. On September 14, 1989, the Planning Board approved this site plan.20. Subdivision Approval - Willowridge Subdivision (Gensis - Off Aurora St.)
On August 7, 1989 the Town Board adopted a negative SEQOR determination on this matter. On September 16, 1989, the Chief of Police approved the site plan.21. Subdivision Approval - Woodgate Subdivision (Josela - Off Aurora St.)
On August 2, 1989, this matter was referred to the Planning Board and Chief Fowler for review and report. On September 6, 1989, the Chief of Police approved the site plan.22. Traffic Survey - Speed Limit - Siebert Road
On August 21, 1989, a petition from the residents of Siebert Road was presented to the Town Board and referred to the Chief of Police for review and recommendation.23. Traffic Survey - Speed Limit - Simme Road
On July 18, 1989, a petition from the residents of Simme Road was presented to the Town Board and referred to the Chief of Police for review and recommendation. On October 2, 1989, the Town Board set a public hearing on this matter for October 16, 1989.24. Traffic Survey - Speed Limit - Westwood Road
On August 21, 1989, a petition from the residents of Westwood Road was presented to the Town Board and referred to the Chief of Police for review and recommendation.

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STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

25. Traffic Survey - Speed Limit - William-Kidder Road

On July 3, 1989, a petition from the residents of William-Kidder Road was presented to the Town Board and referred to the Chief of Police for review and recommendation. On July 24, 1989, the Chief of Police recommended no change in the current 55 mph speed limit on William-Kidder Road. On October 2, 1989, the Town Board set a public hearing on this matter for October 16, 1989.

PERSONS ADDRESSING THE TOWN BOARD:

Paul Ostermeier, 2 West Home Road, and Gregory Waite, 16 West Home Road, spoke to the Town Board relative to site plan approval for the development of the New Creation Fellowship Church on Genesee Street.

Gloria Kubicki, 15 Maple Drive, asked for a copy of the revaluation agreement the Town signed with the County.

The Town Attorney reported that the contract has not yet been received from the County.

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COMMUNICATIONSDISPOSITION

1004. Building Inspector to Town Board - Comments re: Caci Dumping Permit.	TOWN ATTORNEY
1005. Village of Lancaster to Town Clerk - Resolution amending Village Clerk re: Assessor and assessing unit.	R & F
1006. Town Clerk to Town Board - Transmittal of Pleasantview Subdivision revised plat plan.	R & F
1007. Village of Lancaster to Supervisor - Resolution amending Village Clerk re: Assessor and assessing unit.	R & F
1008. County Dept. of Health to Town Board - Approval of Plans re: Lake Forest Subdivision waterline extension.	R & F
1009. Councilman Miller to Town Board - Report on Nat'l Assoc. of Towns and Townships meeting.	R & F
1010. Proclamation - Proclaiming October National Polish American Heritage Month.	R & F
1011. Town Attorney to Amadori Const. Co. - Directive to complete reclamation work at Caci excavating site.	R & F
1012. Town Attorney to M/M Kirst, 19 Quail Hollow - Request removal of fence placed in drainage easement.	R & F
1013. Town Attorney to Messrs. Robert/Paul Hoffman, 9 Robins Nest Ct. - Request removal of fence placed in drainage easement.	R & F
1014. Town Attorney to John Cook, 5 Robins Nest Ct. - Request execution of consent form permitting access to property for placement of topsoil.	R & F
1015. Town Attorney to M/M Till Cavett - Request deed description re: property S.B.L. No. 115.18-2-22.	R & F
1016. Town Attorney to Raymond Malone, Jr. - Request deed description re: property S.B.L. No. 115.18-2-23.	R & F
1017. Town Attorney to Lancaster Village Mayor and Village Attorney - Comments re: assessment duties in Village to be undertaken by Town Assessor.	R & F
1018. Town Attorney to John Adams, 7 Robins Nest Ct. - Request execution of consent form permitting access to property for placement of topsoil.	R & F
1019. Town Clerk to Town Board - Transmittal of latest site plan for Microtel.	R & F
1020. Planning Board to Town Board - Minutes from meeting held 9/20/89.	R & F
1021. Town Attorney to Saperston & Day - Request advisement re: client's intention to establish special districts with Lancaster Commerce Center.	R & F

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COMMUNICATIONS CONT'D.:DISPOSITION

1022. Town Attorney to Town Board - Update re: Caci Excavation Permit.	R & F
1023. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney - Transmittal of Diamond-Craft Homes variance petition.	R & F
1024. Police Chief to Town Board - Request 10/31/89 be designated Halloween.	R & F
1025. Building Inspector to Town Board - Monthly report for August 1989.	R & F
1026. Town Engineers to Town Board - Comments re: HDPE piping in Foreststream Village Subdivision, Phases I and II.	HIGHWAY COMMITTEE
1027. Village of Lancaster to Town Board - Notice of public hearing to be held 10/9/89 re: amending Chapter 152 of the Village Code.	TOWN ATTORNEY
1028. Lancaster Fire Council to Town Board - Request meeting re: computer for emergency services.	PUBLIC SAFETY COMM.
1029. Police Chief to Supervisor, Town Clerk, Town Attorney and Building Inspector - Traffic analysis of Transit and Freeman Rds.	R & F
1030. Town Engineers to Town Board - Comments re: HDPE piping in Foreststream Village Subdivision, Phases I and II.	HIGHWAY COMMITTEE
1031. Town Engineers to Town Board - Comments re: Foreststream Village, Phase I - sidewalk ramps.	BUILDING INSPECTOR TOWN ATTORNEY ENGINEER
1032. ENRPB to Supervisor - Invitation to attend WNY Assoc. of Governments meeting on 9/28/89 for LOGIN demo.	R & F
1033. NYSDEC to Supervisor - Designation of Town as SEQR lead agency for proposed Woodgate Subdivision.	SEQR
1034. Lancaster Village Mayor to Town Board - Concerns and position re: drainage and flooding plan.	SUPERVISOR
1035. Legislator Mary Lou Rath to Supervisor - Notice of full support re: County contract for snow removal on County roads.	R & F
1036. Ramada Inn President to Supervisor - Reiteration of commitments re: Transit and Freeman Roads traffic control.	R & F
1037. Sen. Dale Volker to Police Chief - Concurrence re: regulating condominium complexes.	R & F
1038. County Dept. of Environ. Health Services to James DiLapo - Transmittal of "Approval of Completed Works" re: Foreststream Village.	R & F
1039. Highway Supt. to Supervisor - Safety inspection checklist.	R & F

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COMMUNICATIONS CONT'D.:

DISPOSITION

1040. Youth Bureau Ex. Dir. to Supervisor - Request permission for various staff and Youth members to attend parts of the NYS Youth Bureaus 19th Annual Conference at Buffalo from 10/22-25/89.	R & F _____ _____ _____ _____
1041. Town Engineers to Town Board - Results of review re: revised construction plans and drainage computations re: Southpoint Subdivision.	R & F _____ _____ _____ _____
1042. Lovell <u>SAFETY NEWS</u> - "OSHA Tightening Enforcement of Recordkeeping Requirements: Major Penalties Assessed at Several Firms".	R & F _____ _____ _____ _____

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 9:30 P.M. out of respect to:

ROBERT J. BROWN
ROBERT CHAVEZ
CECELIA KACZMAROWSKI
PATRICIA RECZEK
WANDA STANEK
JOSEPH UNSELT

Signed Robert P. Thill
Robert P. Thill, Town Clerk

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